

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE

IN RE: MICHAEL W. KENT

CASE NO. 13-23288

DEBTOR

CHAPTER 7

**MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
AND REQUEST FOR ABANDONMENT OF PROPERTY OF ESTATE**

Independent Bank ( the “ Creditor”), pursuant to U.S.C Sec. 362, requests relief from the automatic stay afforded to the Debtor(s) and requests abandonment of property of the estate pursuant to 11 U.S.C. Sec. 554 and in support of hereof submits the following:

1. On March 27, 2013, Debtor(s) filed a voluntary bankruptcy petition under Chapter 7, Title 11, United States Code, for the entry of an order of relief.
2. Creditor is the holder of certain promissory note(s) or installment contract(s) dated February 5, 2010, in the original principle amount of \$49,563.71 which is secured by a validly perfected security interest in the form of a security agreement, certificate of title, financing statement or deed of trust on certain property of a 2008 Land Range Rover (the “Collateral”). The current payoff is \$34,938.88.
3. Creditor relies upon 11U.S.C Sec. 362 (d) in support of its motion for relief from the automatic stay.
4. The note(s) or contract(s) are in default.
5. Debtor(s) have failed to provide Creditor with adequate protection of the Creditor’s interest in the property securing the Debtor(s)’ obligation to Creditor.

6. Debtor has no equity in the Collateral, and the same is burdensome to the estate or inconsequential in value to the estate.

7. The requirements of F.R.B.P. 4001(a)(3) are waived.

BASED UPON THE FOREGOING FACTS, Creditor requests relief from the automatic stay pursuant to 11 U.S.C. Sec. 362 and that the Trustee abandon the Property pursuant to 11 U.S.C. Sec. 554 as the same is burdensome to the estate of inconsequential in the value to the estate, and that the Order Granting Relief become final immediately upon entry.

Respectfully Submitted,

/s/ R. Lee Webber  
R. Lee Webber (18266)  
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File No.: 13-072G

CERTIFICATE OF SERVICE/PLEASE SERVICE THE FOLLOWING

I, R. Lee Webber, do hereby certify that I have served a true and correct copy of the forgoing pleading on the following interested parties via U.S. Mail this the 4<sup>th</sup> day of April, 2013.

/s/ R. Lee Webber  
R. Lee Webber

Debtor

Debtor's Attorney

Chapter 7 Trustee